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April 7, 2008

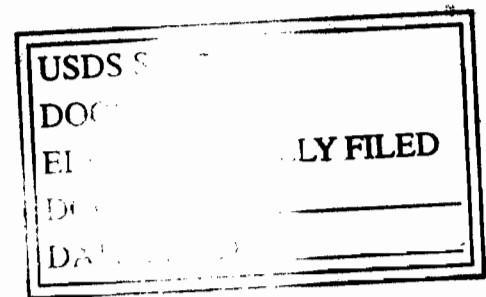
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Honorable Kenneth M. Karas
United States District Court
Southern District of New York
U.S. District Courthouse
300 Quarropas Street
White Plains, NY 10601



Re: Trustees of the Bricklayers and Allied Craftworkers
Local 5 NY Funds, et al v. Gemini Contracting, Inc. and
Joseph P. Bernabo, Individually
07 CIV 9634 (KMK)
Our File No. 26532.2031

Dear Judge Karas:

We are the attorneys for plaintiffs with respect to the above-captioned matter which is a claim for delinquent contributions under ERISA. The Summons and Complaint were filed on October 30, 2007 and for your convenience I am enclosing a copy of each.

Shortly thereafter the defendants agreed to provide us with documentation necessary to conduct a review to determine the amount of delinquent fringe benefit contributions which were due. On March 27th we received the accountants' report which has now been provided to the defendants.



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In order to save time and money we delayed serving defendants with the Summons and Complaint allowing the time to serve to expire. I would be most grateful if Your Honor could extend our time to serve for a period of sixty days by perhaps memo endorsing. By then the case will either be resolved and we will file a discontinuance or we will effectuate service on the defendants.

Thank you for your consideration of this request.

Very truly yours,

GELLERT & KLEIN, P.C.

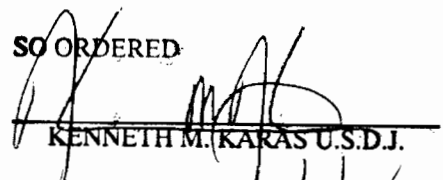
STEPHEN E. EHLERS

SEE/jcd
Enclosure

cc: Mr. Tony Piacente (w/o encl.)
Mr. Albert Alimena (w/o encl.)
Alex Kuchis, CPA (w/o encl.)

*Plaintiff has until June 8, 2008
to serve the Complaint.*

SO ORDERED


KENNETH M. KARAS U.S.D.J.
4/8/08